

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Reino Barry Olson,

Civil No. 11-3491 (DWF/FLN)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Michael J. Astrue, Commissioner
of Social Security,

Defendant.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Franklin L. Noel dated December 18, 2012. No objections have been filed to that Report and Recommendation in the time period permitted. The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Magistrate Judge Franklin L. Noel's December 18, 2012 Report and Recommendation (Doc. No. [26]) is **ADOPTED**.
2. Plaintiff's Motion for Summary Judgment (Doc. No. 17) is **DENIED**;
3. Defendant's Motion for Summary Judgment (Doc. No. 24) is **GRANTED**;
4. The case is **DISMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 15, 2013

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge